

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARC GREEN,

Plaintiff,

vs.

SAFEWAY, INC., a Delaware Corporation,
J. Doe, LIVETRENDS DESIGN GROUP,
LLC, a Florida limited liability company,

Defendants.

No. 3:22-cv-05309

NOTICE OF REMOVAL

Please take notice that Defendant Safeway Inc. hereby removes to the United States District Court for the Western District of Washington the action described below. On February 1, 2022, Defendant Safeway Inc. was served with a summons (**Attachment 1**) and complaint (**Attachment 2**) in an action entitled *Marc Green v. Safeway, Inc. et al.*, Pierce County Superior Court No. 22-2-04374-7. The first date upon which Safeway Inc. received a copy of this complaint was February 1, 2022.

The complaint does not specify the amount of damages being claimed by the Plaintiff. On February 17, 2022, Safeway propounded a request for a statement of damages, interrogatories and requests for production which asked Plaintiff to disclose



specific information about the injuries and damages Plaintiff is claiming in this matter, including the amounts claimed. On April 5, 2022, Plaintiff provided discovery responses which indicate that Plaintiff is claiming more than \$75,000 in this matter, including more than \$87,000 in medical expenses. In addition, Plaintiff's responses indicate that Plaintiff has permanent injuries and will be claiming past income loss, future income loss, and future income loss, and general damages, the amounts of which have not yet been disclosed by Plaintiff.

There is complete diversity because the Plaintiff is a resident of the State of Washington, Defendant Safeway Inc. is a corporation organized under the laws to the State of Delaware with its principle place of business in the State of California, and Defendant LiveTrends Design Group, LLC is a Florida limited liability company whose sole member is a resident of the State of Florida.

This court has original jurisdiction over this action pursuant to 28 U.S.C. §1332(a) because it is between citizens of different states and the amount in controversy exceeds \$75,000. This claim is removable to federal court by the defendant pursuant to 28 U.S.C. §1441 based on diversity jurisdiction.

INTRADISTRICT ASSIGNMENT

The case was filed in Pierce County so LCR 3(e) indicates it will be initially assigned to a Tacoma Judge.

A civil case cover sheet is attached as **Attachment 3**.

Dated: May 4, 2022.

TURNER KUGLER LAW, PLLC

By: s/ John T. Kugler
John T. Kugler, WSBA # 19960
Attorney for Defendant Safeway Inc.



CONSENT TO REMOVAL

Defendant LiveTrends Design Group, LLC consents to this removal.

Dated: May 4, 2022.

LEE SMART

By: s/ Steven G. Wraith
Steven G. Wraith, WSBA # 17364
Attorney for Defendant LiveTrends
Design Group, LLC

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiff:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

none

s/ John T. Kugler

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